

(ORDER LIST: 526 U. S.)

MONDAY, MAY 3, 1999

CERTIORARI -- SUMMARY DISPOSITION

98-1284 SHALALA, SEC. OF H&HS V. GRIJALVA, GREGORIA, ET AL.

The petition for a writ of certiorari is granted.

The judgment is vacated and the case is remanded to the United States Court of Appeals for the Ninth Circuit for further consideration in light of *American Manufacturers Mutual Insurance Company v. Sullivan*, 526 U.S. ____ (1999); Sections 4001 and 4002 of the Balanced Budget Act of 1997, Pub. L. No. 105-33, 111 Stat. 275-330; and the regulations of the Secretary of Health and Human Services implementing those provisions.

ORDERS IN PENDING CASES

M-60 GEORGE E. McDERMOTT V. DEPARTMENT OF JUSTICE, ET AL.

The motion to direct the Clerk to file a
for a writ of certiorari out-of-time is denied.

98-8239 LOWE, RONALD D. V. OKLAHOMA

The motion of petitioner for leave to proceed *in forma pauperis* is denied. See Rule 39.8. Petitioner is allowed until May 24, 1999, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

98- 8366 RIVERA, VINCENT F. V. FLORIDA, ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied. See Rule 39.8. Petitioner is allowed until May 24, 1999, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

98- 8754 DeBARDELEBEN, JAMES M V. UNITED STATES

The motion of petitioner for leave to proceed *in forma pauperis* is denied. See Rule 39.8. Petitioner is allowed until May 24, 1999, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

CERTIORARI GRANTED

98- 1036 ILLINOIS V. WARDLOW, WILLIAM AKA SAM

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is granted.

98- 1441 ROE, WARDEN V. ORTEGA, LUCIO FLORES

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is granted limited to Question 2 presented by the petition.

CERTIORARI DENIED

- 98- 1054 MALLADI, VISALAKSHI V. WEST, SEC. OF VA
- 98- 1058 POTTS, ROBERT D. vs. SEC
- 98- 1092) GONZALEZ-NAVARRO, RICARDO V. BONILLA, LUIS, ET AL.
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- 98- 1425) BONILLA, LUIS, ET AL. V. VOLVO CAR CORP.
- 98- 1201 MATSUSHITA ELEC. CO., ET AL. V. ZIEGLER, JOHN
- 98- 1211 KANOWITZ FRUIT & PRODUCE V. UNITED STATES, ET AL.
- 98- 1303 KLEIN, ELLEN V. COURTWRIGHT, DAVID, ET AL.
- 98- 1360 MONTIONE, CHARLES V. PENNSYLVANIA
- 98- 1377 ROBERTSON, JAMES M., ET UX. V. NEUROMEDICAL CENTER, ET AL.
- 98- 1382 PULITZER PUBLISHING CO. V. GODFREY, THOMAS, ET AL.
- 98- 1386 INGLE, CAROL, ET AL. V. DOW CORNING CORP, ET AL.
- 98- 1393 STUN-TECH, INC. vs. R. A. C. C. INDUSTRIES, INC.
- 98- 1394 KING, KERMIE M V. HERBERT J. THOMAS MEM HOSP.
- 98- 1395 POLAROID CORPORATION V. OFFERMAN, NC SEC. OF REVENUE
- 98- 1396 WOODYEAR, MARILYN V. CLARKE INS. INC., ET AL.
- 98- 1401 LaRUE, CLYDE V. ILLINOIS, ETC., ET AL.
- 98- 1406 JENNINGS, EDNA V. COUTSCOUDIS, SANDRA, ET VIR
- 98- 1407 HUMPHRESS, DONALD P. V. UNITED PARCEL SERV., ET AL.
- 98- 1408 SCHMIDT, MARILYN V. GOSCICKI, THOMAS, ET AL.
- 98- 1409 DAWSON, OLIN V. BD. OF SUPERVISORS OF LSU
- 98- 1424 COLLAGEN CORPORATION V. KENNEDY, CHARLOTTE, ET VIR
- 98- 1430 BROWN, RONALD A. V. MAYOR OF BALTIMORE
- 98- 1431 RUPERT, WILLIAM V. FDIC, ETC.
- 98- 1496 CREEKMORE, WYNNE L. V. VASA N. ATLANTIC INS. CO.
- 98- 1516 STICH, JOSEPH P. V. ANGELONE, DIR., VA DOC
- 98- 1576 TURNER, ALLAN L. V. UNITED STATES

98-1580 TSUJI, STANLEY R. V. HAWAII, ET AL.
98-1591 ROJAS-ORTEGA, ANTONIO V. UNITED STATES
98-1601 ROBINSON, JOHN A. V. UNITED STATES
98-1617 EMERSON, GERALD W. vs. BD. OF ZONING APP., FAIRFAX
98-7406 ROBISON, LARRY K. V. JOHNSON, DIR., TX DCJ
98-7481 JACKSON, MICHAEL A. V. UNITED STATES
98-7915 HUCKABY, HENRY L. V. HEALTH CARE FINANCING ADMIN.
98-8281 CUNNINGHAM, WILLIAM E. V. WOODS, WARDEN, ET AL.
98-8283 RIBOT-CARINO, JUAN V. LABOY-ALVARADO, ZOE, ETC.
98-8294 SUMTER, ROSETTA V. NEW JERSEY
98-8297 WILSON, IRVIN J. V. BOLLINGER, ROBERT, ET AL.
98-8300 ABDUS-SABIR, ABDULLAH V. HIGHTOWER, WARDEN, ET AL.
98-8309 NUNLEY, RODERICK V. MISSOURI
98-8315 BONNER, DAVID B. V. CRABTREE, WARDEN, ET AL.
98-8323 DIAZ, ANGEL N. V. FLORIDA, ET AL.
98-8328 FORD, WILLIE T. V. SAUNDERS, WARDEN, ET AL.
98-8329 GRIFFIN, LONNIE V. SCOTT, WARDEN
98-8331 DOUGLAS, ISTIVAN C. V. EASLEY, ATT'Y GEN. OF NC
98-8333 PARKER, NORMAN V. FLORIDA
98-8341 COGDILL, DONALD M. V. SOUTH CAROLINA, ET AL.
98-8342 COX, ANTONIO V. ANGELONE, DIR., VA DOC
98-8344 BROMWELL, KEVIN V. DORMIRE, SUPT.
98-8346 VINYARD, BARBARA H. V. STEWART, DIR., AZ DOC
98-8348 ADAMS, LAMONT V. NEW YORK
98-8352 SHIVAE, CHEVY R. V. VIRGINIA, ET AL.
98-8360 FRASER, JOHN D. V. DAWES, CAROLE, ET AL.
98-8369 KARAJAH, H. vs. DC DEPT. OF HOUSING, ETC.

98- 8374 MATTHEWS, LLOYD V. MASSACHUSETTS
98- 8375 WHATLEY, FREDERICK R. V. GEORGIA
98- 8377 McCOY, CHERYL V. WORKERS' COMP. APPEALS BD.
98- 8383 BROWN, PAUL A. V. FLORIDA
98- 8391 WILLIAMS, TRUMAN V. APFEL, COMM R, SOCIAL SEC.
98- 8417 CASTILLEJA, ALBERT J. V. JOHNSON, DIR. , TX DCJ
98- 8433 COLE, FRANKIE L. V. HOPKINS, WARDEN
98- 8435 LARKINS, RONALD V. ANDERSON, WARDEN
98- 8440 LEBEDUN, ALLEN A. V. VIRGINIA
98- 8453 GARDNER, RAYFORD L. V. KENTUCKY
98- 8463 GUZMAN, JAMES V. FLORIDA
98- 8475 SIMPSON, RAYMOND V. LEAR ASTRONICS CORP.
98- 8484 CALDWELL, LEO J. V. BAKER, WARDEN
98- 8485 BEASLEY, WILLIAM E. V. ILLINOIS
98- 8492 BUTLER, ROBERT L. V. RENO POLICE DEPT. , ET AL.
98- 8494 EASLEY, CLARENCE V. VAUGHN, SUPT. , GRATERFORD
98- 8507 HUTCHINSON, DARNELL V. FULCOMER, THOMAS A. , ET AL.
98- 8559 HARPER, SCOTT W. V. SINGLETARY, SEC. , FL DOC
98- 8566 FREDERICK, DAVID S. V. GUDMANSON, WARDEN
98- 8605 ARROYO, EDGAR S. V. JOHNSON, DIR. , TX DCJ
98- 8631 CAMPBELL, DAVID L. V. USDC SD OH
98- 8647 HOWARD, KENDRICK V. LOUISIANA
98- 8677 MOORE, CYRUS W. V. JOHNSON, DIR. , TX DCJ
98- 8683 JOHNSON, KENNETH V. ANDERSON, WARDEN
98- 8694 BELLANGER, RICKIE J. V. UNITED STATES
98- 8700 SHAY, CHARLES V. UNITED STATES
98- 8717 SUMRALL, DAVID A. vs. MD DOC, ET AL.

98- 8728) PAGE, MANUAL V. UNITED STATES
)
 98- 8760) BURRESS, CARL R. V. UNITED STATES
 98- 8734 MEANS, WILLIE C. V. UNITED STATES
 98- 8746 HARDY, LORENZO M V. UNITED STATES
 98- 8751 GOODRIDGE, RALPH A. V. UNITED STATES
 98- 8753 HACH, CARL, ET AL. V. UNITED STATES
 98- 8755 SAVAGE-EL, TERRY E. V. UNITED STATES
 98- 8761 LOOKER, FLOYD R. V. UNITED STATES
 98- 8763 JONES, KENNETH B. V. UNITED STATES
 98- 8765 WEYMOUTH, ERIC V. UNITED STATES
 98- 8766 CARROLL, GERALD L. V. UNITED STATES
 98- 8768 BULL, FRED V. UNITED STATES
 98- 8771) HEATH, LAVON V. UNITED STATES
)
 98- 8839) DAVIS, ALBERT V. UNITED STATES
 98- 8775 SPEARMAN, IRA V. V. UNITED STATES
 98- 8776 BOB, BERNARD V. UNITED STATES
 98- 8778 HARPINE, DAVID L. V. UNITED STATES
 98- 8779 ZAMBRANO, NELSON T. V. UNITED STATES
 98- 8780 WICKS, JAMES T. V. UNITED STATES
 98- 8784 BELL, KYLE A. V. UNITED STATES, ET AL.
 98- 8792 WALLIN, LAMAIN D. V. UNITED STATES
 98- 8796 BETANCOURT, JORGE V. UNITED STATES
 98- 8801 WILSON, DAVID A. V. UNITED STATES
 98- 8807 ADDAIR, DARRELL V. UNITED STATES
 98- 8808 ROYSTER, MICHAEL V. UNITED STATES
 98- 8809 SACKY, FRED V. UNITED STATES
 98- 8811 RICHARDSON, ALLEN B. V. UNITED STATES

- 98- 8813 CANNON, DAVID O. V. UNITED STATES
- 98- 8820 PEDRAZA, ENRIQUE V. UNITED STATES
- 98- 8825 CORDERO, JOHN V. UNITED STATES
- 98- 8829 WEST, GILBERT L. V. UNITED STATES
- 98- 8834) FREEMAN, MARCUS L. V. UNITED STATES
)
- 98- 8859) JACKSON, JESSE V. UNITED STATES
- 98- 8845 JORDAN, BARRY V. UNITED STATES
- 98- 8853 MARCILOUS, ALFRED R. V. UNITED STATES
- 98- 8855 MONTALVO-DOMINGUEZ, OSBALDO V. UNITED STATES
- 98- 8858 MOLINA, ROLANDO V. UNITED STATES
- 98- 8865 WHITMORE, REGINALD B. V. UNITED STATES

The petitions for writs of certiorari are denied.

- 98- 1418 FLORIDA V. LANCASTER, ANTHONY

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is denied.

- 98- 8686 SWANN, CALVIN E. V. TAYLOR, WARDEN
 (A- 884)

The application for stay of execution of sentence of death presented to the Chief Justice and by him referred to the Court is denied. The petition for a writ of certiorari is denied.

HABEAS CORPUS DENIED

- 98- 8925 IN RE GERALD L. ROGERS

The petition for a writ of habeas corpus is denied.

MANDAMUS DENIED

98- 1562 IN RE ROLAND L. GOAD
98- 8663 IN RE DOLORES QUINONES
98- 8665 IN RE DONALD BOBCHICK
98- 8668 IN RE WILLIAM RAY BROWN
98- 8741 IN RE MICHAEL ANTHONY NOBLE

The petitions for writs of mandamus are denied.

REHEARINGS DENIED

98- 1151 CONSTANT, JAMES V. ADVANCED MICRO-DEVICES
98- 6473 COLEMAN, GLENN L. V. BEILEIN, THOMAS A.
98- 7369 SKORNIAK, FRANK V. UNITED STATES
98- 7476 MacPHEE, JAMES M V. CALIFORNIA
98- 7598 JENNINGS, WILLIAM V. SINGLETARY, SEC. , FL DOC
98- 7679 BOYD, DONALD V. HELFER, CHAIRMAN, FDIC
98- 7727 SIKORA, MATTHEW V. HOPKINS, WARDEN, ET AL.
98- 7769 CAGLE, JAMES E. V. CHAMPION, WARDEN, ET AL.
98- 7977 TOBIE, JOE N. V. DEPT. OF INTERIOR

The petitions for rehearing are denied.

98- 40 LaFONTAINE, SERGIO V. COMMR. OF CORR. SERVS. OF NY

The motion of petitioner for leave to proceed further herein *in forma pauperis* is granted. The motion for leave to file a petition for rehearing is denied.

ATTORNEY DISCIPLINE

D- 2033 IN THE MATTER OF DISBARMENT OF H. GENE BALDRIDGE

H. Gene Baldridge, of Ashland, Kentucky, having

been suspended from the practice of law in this Court by order of February 22, 1999; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that H. Gene Baldrige is disbarred from the practice of law in this Court.

D-2035 IN THE MATTER OF DISBARMENT OF ALBERT IRA GOULD

Albert Ira Gould, of Bolton, Massachusetts, having been suspended from the practice of law in this Court by order of February 22, 1999; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Albert Ira Gould is disbarred from the practice of law in this Court.

D-2045 IN THE MATTER OF DISBARMENT OF DAVID STEPHEN HOLLANDER

David Stephen Hollander, of Boca Raton, Florida, having been suspended from the practice of law in this Court by order of February 22, 1999; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that David Stephen Hollander is disbarred from the practice of law in this Court.

D-2047 IN THE MATTER OF DISBARMENT OF STANFORD DONALD HESS

Stanford Donald Hess, of Baltimore Maryland, having

been suspended from the practice of law in this Court by order of March 1, 1999; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and a response having been filed;

It is ordered that Stanford Donald Hess is disbarred from the practice of law in this Court.

D-2048 IN THE MATTER OF DISBARMENT OF GARY ELLIS WOLOSIN

Gary Ellis Wolosin, of Cincinnati, Ohio, having been suspended from the practice of law in this Court by order of March 1, 1999; and a rule having been issued requiring him to show cause why he should not be disbarred;

It is ordered that Gary Ellis Wolosin is disbarred from the practice of law in this Court.

D-2050 IN THE MATTER OF DISBARMENT OF EDWARD HAMILTON PHILLIPS

Edward Hamilton Phillips, of Chicago, Illinois, having been suspended from the practice of law in this Court by order of March 8, 1999; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Edward Hamilton Phillips is disbarred from the practice of law in this Court.

D-2069 IN THE MATTER OF DISBARMENT OF SHELDON IRWIN WALKER

Sheldon Irwin Walker, of Brooklyn, New York, is suspended from the practice of law in this Court and a

rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2070 IN THE MATTER OF DISBARMENT OF BENJAMIN V. R. CONLON

Benjamin V. R. Conlon, of Lake Norman, North Carolina, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.